

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NEYOKII Q. EUBANKS,

Plaintiffs,

v.

TRICON SECURITY GROUP, L.L.C., and  
ANTOINE WILLIS, jointly and severally,

Defendants.

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Case No. 16-10379

Honorable John Corbett O'Meara

**ORDER OF PARTIAL DISMISSAL**

Plaintiff Neyokii Q. Eubanks recently filed a two-count complaint in this court alleging discrimination in violation of Title VII of the Civil Rights Act of 1964 in Count I and discrimination and retaliation in violation of Michigan's Elliott-Larsen Civil Rights Act in Count II.

Although Count I is cognizable in this court pursuant to 28 U.S.C. § 1331, the allegations presented in Count II are based solely on state law. The parties to this action are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claim to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

**ORDER**

It is hereby **ORDERED** that Count II is **DISMISSED**.

s/John Corbett O'Meara  
United States District Judge

Date: March 18, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, March 18, 2016, using the ECF system.

s/William Barkholz  
Case Manager